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St. Helena

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I. General

1. The Territory of St. Helena,[1] which is administered by the United Kingdom of Great Britain and Northern Ireland, consists of the island of St. Helena and two dependencies: the island of Ascension and a group of small islands forming the dependency of Tristan da Cunha.

2. Situated in the South Atlantic Ocean, approximately 1,900 kilometres from Angola and 2,900 kilometres from Brazil, St. Helena is a small island of volcanic origin. The Territory comprises a total land area of 412 square kilometres: Ascension lies 1,200 kilometres to the north-west of St. Helena, and Tristan da Cunha and the other small islands are approximately 2,400 kilometres to the south of it. St. Helena, where Jamestown, the capital of the Territory, is located, is the largest island, with an area of 122 square kilometres. The islands enjoy a tropical climate tempered by trade winds that blow throughout the year. They have distinctive flora and fauna, with many rare or endangered species.

3. The inhabitants of St. Helena, who number approximately 6,000, are known as "Saints" or St. Helenians, and are of mixed origin. Approximately one third reside in Jamestown. English is the only language. Access to St. Helena is provided by the *Royal Mail Ship (RMS) St. Helena*, which stops en route between Cardiff in the United Kingdom and Cape Town in South Africa. The nearest airstrip is located on Ascension.

II. Historical background

4. St. Helena was discovered by the Portuguese navigator Juan da Nova on St. Helena Day, 21 May 1502. It was an uninhabited island. Its existence was kept secret until the English seafarer Thomas Cavendish came upon it in 1588. In 1633 the Netherlands claimed the island but did not occupy it. In 1658 a charter from the Lord Protector of Britain authorized the British East India Company to colonize and fortify the island, which was subsequently settled by the English. Slaves were brought from Africa, Madagascar and the Far East. Chinese and some Indian indentured labourers were brought to work on the island. King George II issued a charter to the East India Company setting out how the island should be fortified and governed. In the charter the King also gave the inhabitants full English citizenship in perpetuity. Napoleon Bonaparte was exiled to St. Helena from 1815 until his death in 1821. St. Helena became a Crown Colony in 1834. In May 2002 St. Helena will celebrate the 500th anniversary of its discovery.

III. Constitutional and political background and developments

5. The St. Helena Constitution Order of 1988, which entered into force on 1 January 1989, replaced the Constitution of St. Helena and dependencies introduced on 1 January 1967. Under the new Constitution, the Governor and Commander-in-Chief, who is appointed by the Queen, administers the Territory. He is assisted by an Executive Council and a Legislative Council.

6. The Legislative Council comprises the Speaker, 3 ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council is presided over by the Governor and consists of the ex officio members and five of the elected members of the Legislative Council. Although a member of the Legislative Council and the Executive Council, the Attorney General has no vote in either body.

7. Elections are held by secret ballot at intervals of not more than four years, by universal suffrage for those aged 18 years and over. While two political parties exist, since 1976 they have been inactive and elections have been held on a non-partisan basis. The most recent general elections were held on 27 June 2001, when 12 candidates representing eight constituencies were elected to the Legislative Council.

8. The judicial system, based on the laws of the United Kingdom, is administered by the Supreme Court (there is a non-resident Chief Justice) and by a Magistrate's Court presided over by the senior of the three magistrates sitting at a session. There is also a Juvenile Court and a Small Debts Court. Provision exists for a Court of Appeal consisting of three judges, which can sit at Jamestown or London.

9. In January 1983, when the British Nationality Act came into force at the end of the Falkland Islands (Malvinas) conflict, St. Helenians had their citizenship rights taken away. Islanders consider that the restoration of full British citizenship is a matter of

basic human rights. In order to support the restoration of full rights of citizenship of those British subjects who are St. Helenian, a Citizenship Commission was set up in 1992 as the Bishop's Commission, by the Anglican Church on St. Helena. The Commission has 13 members on St. Helena and its branch in the United Kingdom has 7 members. Its main activity centres on bringing about public awareness locally, nationally and internationally, concerning citizenship and constitutional development of the Territory of St. Helena and its dependencies.

10. In 1994 the Legislative Council requested a review of the Constitution to include provisions for a bill of rights. The administering Power noted its preparedness to discuss the Constitution with the people of St. Helena. There followed a number of discussions and debates in both the Legislative Council and the House of Commons. More detailed information about political developments in and regarding St. Helena between 1994 and 2001 is included in previous reports (see A/AC.109/2071, paras. 5-8, A/AC.109/2115, paras. 4-8, A/AC.109/1999/16, paras. 4-12, A/AC.109/2000/8, paras. 13-17 and A/AC.109/2001/16, paras. 10-15).

11. On 17 March 1999 the Secretary for Foreign and Commonwealth Affairs of the United Kingdom submitted in the British House of Commons a White Paper entitled "Partnership for Progress and Prosperity: Britain and the Overseas Territories".[2] The White Paper enumerated the changes in the status of the United Kingdom's Dependent Territories, including the Territory of St. Helena and its dependencies.

12. The stipulations in the White Paper of greatest relevance to St. Helena were an offer of British citizenship, and with it the right of abode in the United Kingdom for those who chose to accept it; a commitment to continuing financial assistance to those Territories, including St. Helena, that remain economically dependent on British aid; and the creation of an Overseas Territories Minister and a Council of the Overseas Territories. The Council would include the Chief Minister of each Overseas Territory and would convene annually. The Citizenship Commission and the elected members of the Legislative Council discussed the White Paper and presented their findings to the Government of the United Kingdom in June 1999.

13. On 11 July 2001 Baroness Amos, Under-Secretary of State for the Foreign and Commonwealth Office, introduced the British Overseas Territories Bill to the House of Lords for its consideration. The bill, inter alia, would replace the words "Dependent Territory" with the phrase "British Overseas Territory", change the term "British Dependent Territories citizenship" to "British Overseas Territories citizenship" and grant British citizenship to everyone who was a British overseas territories citizen at commencement (except for citizens of the Sovereign Base Areas). British Overseas Territories citizens who took British citizenship would retain their other citizenship status unless they renounced it, and would be able to renounce British citizenship if they did not want it.[3] Consideration of the bill was completed in a three-step process in the House of Lords in 2001 and its third reading was completed in the House of Commons in February 2002. It received Royal Assent on 26 February 2002 and became the British Overseas Territories Act 2002. On 18 March 2002 Baroness Amos stated that the British Government was putting into place arrangements to implement the citizenship provisions, the commencement date of which would be announced no later than 21 May. From the date of commencement, St. Helenians would be able to apply for British passports. Baroness Amos also stated that she was particularly pleased that the Act would come fully into effect in time for the celebration of St. Helena's 500th anniversary.[4]

14. Elected members of the Legislative Council and the Citizenship Commission have continued to request that discussions with United Kingdom authorities not be limited to the citizenship issue but also include debate on the merits of different constitutional options for St. Helena, namely the status quo, Crown dependency or integration. In November 2001 the Citizenship Commission met in St. Helena with a constitutional adviser from the Foreign and Commonwealth Office, who also visited Ascension Island. In his 2001 Christmas message, the Governor of St. Helena noted that two thirds of the 63 proposals made by the Constitutional Commission in March 1999 had already been considered by the previous or present Legislative Council and had either been agreed to or rejected. He noted that St. Helena had also received guidance in the form of a model chapter on human rights for incorporation into the new Constitution. The Legislative Council was to consider the remaining proposals and the provisions of the human rights

chapter in January and February 2002 and was to present a package of proposals for public consultation before submitting them to the United Kingdom later in the year.[5]

IV. Economic conditions

A. General

15. In the view of the Citizenship Commission, St. Helena is entering a crisis. The birth rate has dropped, the tax base is shrinking, the population is ageing and income from those working offshore is the mainstay of the economy.[6] According to the country policy plan (2001-2003) of the United Kingdom's Department for International Development, the economy of St. Helena remains dominated by the public sector, with government expenditure equivalent to about 95 per cent of the gross national product. Government employment is about 60 per cent of total employment.

16. St. Helena possesses few natural resources. As food production is insufficient to supply the island's needs and there is a lack of manufacturing industries, the vast majority of the island's requirements must be imported. The cost of living in St. Helena is higher than in the United Kingdom, owing to costs related to the remoteness of the island.

17. In the St. Helena Strategic Review 2000-2010, the Government outlines the options for St. Helena to generate sustainable wealth under the following headings: internal investment, tourism, exports and import substitution. With the exception of the last, all are heavily dependent on significantly improved access (see para. 27 below).

B. United Kingdom development assistance

18. In real terms aid from the United Kingdom has fallen over the last decade, which has had an effect on the St. Helena economy. Approximately 30 per cent of the Government's annual recurrent budget is funded by the United Kingdom's Department for International Development, as is much of its capital investment.[7] In 2000 the Department for International Development and the Government of St. Helena agreed on a new country policy plan for the period from 2000/01 to 2002/03, designed to make the island more self-sufficient by promoting the private sector and raising efficiency in the public sector. The Department for International Development pledged £29 million in development assistance resources, an increase of £3 million over the previous country policy plan period. Within this amount, a budgetary aid allocation of £12.6 million was agreed upon to meet anticipated budget deficits over the next three years, based on budget projections produced by the territorial Government.[8] The development assistance agreed under the country policy plan also comprises an annual subsidy for the operation of the *RMS St. Helena*, as well as support for bilateral development assistance, awards for training in the United Kingdom and a number of infrastructure development projects such as road works and wharf improvement.

19. A team made up of representatives of the Department for International Development and of the Foreign and Commonwealth Office visited St. Helena from 5 to 12 July 2001 to undertake a mid-term review of progress on the country policy plan. The team also discussed the access issue, ongoing and planned projects, and issues relating to Ascension Island. With regard to access, the Government of St. Helena noted its strong preference for an airport (see para. 26 below), and discussions focused on the options for meeting the funding gap between the United Kingdom's commitment to provide funding equal to the least capital cost option (the replacement cost of a ship) and the financial resources needed for the provision of air access. It was confirmed that this commitment would be additional to the regular development assistance programme. The team welcomed the work the Government of St. Helena had undertaken to review and update the country policy plan action matrix and its commitment to take effective measures to secure performance improvements.[9]

C. Development projects

20. St. Helena also receives assistance from the United Nations Development Programme (UNDP). The second UNDP country cooperation framework for St. Helena (DP/CCF/STH/2) covers the period 2001-2004, with allocated regular resources of $1,021,000. The assistance continues to focus on two main multi-purpose projects, one focusing on training and consultancy to support sustainable livelihoods and the

other on employment in the tourism sector and development of the private sector. Reporting at the end of 2001, UNDP noted as principal achievements the publication of St. Helena's first human development report (to be updated in 2005), the technical support provided to the island's Development Office, the expansion of Internet and Intranet networks for the territorial Government, and the procurement of remote sensing equipment to enable St. Helena to monitor offshore fishing in its territorial waters. Regarding tourism sector employment and private sector development, UNDP reports that St. Helena's isolation and relative inaccessibility, as well as the attraction of offshore employment, are limiting progress in this field. Nonetheless, progress has been made in developing nature- and heritage-based tourism, urban tourism, recreational facilities, catering courses, the launching of a tourism web site and the funding of a marketing organization to promote St. Helena's 500th anniversary. In addition, UNDP has funded a project to provide services for the elderly and disabled in order to minimize their institutionalization and help them remain within the community.

D. Agriculture and fisheries

21. According to the St. Helena Strategic Review 2000-2010, land is a scarce resource on the island and is not well used. There are four major uses: commercial, residential, government and amenity. A high proportion of land is classified as "Crown wastes" and protected for reforestation with native species. Most agricultural land is owned by the Government and leased for subsistence activities, mainly for use as pasture with a small amount for cultivation. The Government also owns most forestry land. The Agriculture and Forestry Department provides support to smallholder producers, including agricultural loans, through a revolving credit fund. The principal export crop is coffee, of which 1.597 tons were exported to the United States of America, South Africa and the United Kingdom in 1999/2000. All other crops are for food or fodder. Potatoes are the main carbohydrate staple, although greatly supplemented by imported rice. Livestock includes (in descending order of quantity), poultry, goats, sheep, cattle and pigs. Half of the agricultural production is sold through retail outlets, 42 per cent is sold privately and 6 per cent is kept for household consumption.

22. The St. Helena Fisheries Corporation processes and exports frozen fish. The total value of exports for 1999/2000 was £92,465. The total value of fish processed and sold on the domestic market was £135,581. A number of international companies are licensed to fish in the waters off St. Helena and Ascension Island. Current revenue from fishing licences granted to them is some £733,850 per year.[10]

23. After five years of negotiations, the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean was signed in Windhoek on 20 April 2001. The Convention will lead to the creation of a regional fisheries organization to ensure the conservation and sustainable utilization of fishery resources. Benefits to St. Helena will include the right to participate in high seas fishery, in view of the Territory's economic status and dependence on fishing; the opportunity to develop joint ventures with other regional parties to exploit fisheries and straddling stocks both adjacent to and within St. Helena's 200-mile zone; the opportunity to extend control and surveillance of fishing in the South-East Atlantic; and the opportunity to sit as a member of the commission and committees to be established so as to ensure that its interests are not prejudiced. In exchange, St. Helena is bound to implement conservation and management measures as well as to apply surveillance and reporting mechanisms.[11]

E. Manufacturing and industry

24. There is no large-scale industry on St. Helena. All crafts are produced on a cottage-industry basis, with technical, financial and marketing facilities provided by the Government through the St. Helena Development Agency, established in 1995 to promote the private sector. In financial year 1999/2000, the Agency approved loans totalling £138,115 and grants amounting to £40,832. This financial assistance is focused on industries identified as having the greatest potential for development, namely, fishing, agriculture, tourism, exports and import substitution.

F. Transport, communications and utilities

25. The island has over 100 kilometres of surfaced roads, to which half a kilometre was added in 1999/2000. There is no airport or airstrip on St. Helena, and no railway. The only port is Jamestown, which

provides good anchorage for ships of all sizes. The island's main link with the outside world continues to be the *RMS St. Helena*, which is owned and chartered by the St. Helena Shipping Company, Ltd., and which plies between Cardiff in the United Kingdom and Cape Town in South Africa, calling at the Cape Verde islands and Ascension. The service receives an annual subsidy from the United Kingdom.

26. In the St. Helena Strategic Review 2000-2010, the Government stressed that "the island's extreme aid dependency cannot be reduced until access to the island is fundamentally improved". The territorial Government declared its preference for air access as the most effective way to attract investment and tourism and to create much-needed local employment. In September 2000 the Foreign Office appointed High Point Rendell, a consulting company, to undertake a comparative study of air and sea access to identify the least costly solution. The study, released in June 2001, indicated a price of £38 million for a single runway option, although further study indicated that the cost would be considerably higher due to natural obstacles that would have to be cleared. A dual runway was calculated to cost £50 million. The replacement cost of the *RMS St. Helena* was estimated at £26.3 million.[12]

27. In January 2002 St. Helenians were asked to vote on the question of future access to the island, given a choice between having an airport, with alternative arrangements being made for shipping, or not having an airport, with a replacement for the *RMS St. Helena* instead. A total of 2,203 votes were cast, with 71.6 per cent of voters in favour of an airport and 28.4 per cent wanting a replacement ship. As soon as possible after the vote, it was arranged for a high-level delegation from St. Helena to travel to London for two weeks of discussions, arranged by the Department for International Development, on air access. The talks centred on issues of funding, economic planning and development, and social and environmental impact. The delegation also familiarized itself with current United Kingdom practices on joint ventures between the public sector and the private sector and met with representatives of two private enterprises, namely, the St. Helena Leisure Corporation and Ove Arup. The delegation is due to present its finding to the St. Helena Government upon its return to the island on 5 April 2002.[13]

28. Electricity (generated by diesel and wind power), water and roads are provided by the Public Works and Services Department, which employs approximately 273 workers. The Department's annual expenditure is £1.8 million, and it receives income from the sale of power, water and services, totalling some £1.2 million.

G. Banking and credit

29. The only bank is the Government Savings Bank, which does not offer the full range of normal commercial banking facilities. Limited credit facilities for house-building and home improvements are made available on very easy terms through the Government Housing Loans Board and the Government Savings Bank. All financial transactions are ultimately channelled through London, and United Kingdom bank rates apply. No exchange controls operate on the island, and, to the extent that overseas transactions are channelled through London, United Kingdom control measures apply. The deficit in the island's trading operations is in effect made up through a grant-in-aid from the United Kingdom Treasury. The amount of currency in circulation as at January 2002 was £2.976 million; there are also Commemorative Coins valued at £471,000. The St. Helena pound is equivalent to the pound sterling.

H. International trade

30. St. Helena's main imports are food products and tobacco, motor spirits and fuel oil, animal feed, building materials, motor vehicles, machinery and spare parts. Its only exports are fish (including what is said to be the world's first organically registered wild fish), handicrafts and coffee. Its main trading partners remain the United Kingdom and South Africa. Other partners include Brazil and Ascension.

V. Social conditions

A. General

31. Comparisons of indicators that appear in both the 1987 census and the 1998 census show a steady improvement in St. Helena's standard of living. However, according to the St. Helena Strategic Review, over the same period real wages in the public sector fell by about 16 per cent, while the number of St. Helenians working offshore roughly doubled. Thus,

St. Helena's increased standard of living can be attributed principelly to offshore employment and its related remittances. The team of Department for International Development and Foreign and Commonwealth Office representatives, which negotiated the country policy plan for 2001/02 to 2002/03, states that, measured by international norms, St. Helena is a middle-income country with few signs of real material poverty. However, the team adds that this is largely owing to the all-encompassing government safety net, which guarantees everyone a minimum standard of living, and to social networks, which encourage the distribution of income among kin, most notably in the form of remitances. The country policy plan identifies two particularly vulnerable sectors, namely the increasing number of elderly people (expected to be 24 per cent of the population by 2010) who live on social benefits, and the disabled, who have special, unmet needs. It also points to a "culture of dependency" on the island, partly as a consequence of the Government being the main employer and almost the only provider of services. The Government notes in the St. Helena Strategic Review that the impact that the future restoration of British citizenship may have is as yet unknown, but it adds: "In general, it can be expected that it will be the young people who will leave the island and a high proportion will not return. This will lead to a greater imbalance between young and old and there is every reason to believe that, over time, St. Helena will become an island of the old, poor and unemployable." Faced with this prospect, recent strategic plans for the Territory have been aimed at identifying options to generate sustainable wealth on St. Helena.

B. Employment

32. As a result of the dependence on imports, the paucity of exports and the small size of the internal market, there are limited employment opportunities on St. Helena. The public sector remains the dominant employer. In the mid-1990s unemployment increased rapidly and reached the record level of 20 per cent of the resident workforce in 1997. Since then it has declined to about 14 per cent. Offshore employment has steadily increased, and remittances to St. Helena have helped offset the decline in United Kingdom aid. Some 1,400 of the island's workers are employed on Ascension, in the Falklands, in the United Kingdom and on the *RMS St. Helena*. They contribute about £2 million a year to the economy.[7] As virtually all contracts for offshore employment are for unaccompanied workers, there is considerable dislocation of families.

33. On 16 October 2001, speaking at a meeting of the Special Political and Decolonization Committee (Fourth Committee) of the General Assembly, a representative of the United Kingdom drew attention to the fact that the United Kingdom had set up a pilot fund to help support economic diversification and improve employment prospects in the Overseas Territories and was discussing the terms of the fund with the St. Helena Government (see para. 64 below).

C. Public health

34. According to the Government of Saint Helena, the public health budget for the year 2001/02 was £1.954 million, which represented 18.5 per cent of the St. Helena Government's annual expenditure. There is a 42-bed general hospital in Jamestown, seven outpatient clinics, an elderly care complex, a centre for the mentally infirm and a centre for the mentally and physically handicapped. St. Helena has a very high incidence of diabetes and hypertension, widely perceived to be genetic in origin. The rapid ageing of the population is increasing the pressure on medical resources. Given St. Helena's geographical isolation, the areas of greatest financial concern in the public health area are the high cost of drug purchases and of overseas referrals, which are sometimes inevitable. In March 2002 the Public Health and Social Services Department expressed concern about the severe shortage of trained nursing staff at the Hospital and informed the public that while annual outpatient attendance had increased from 10,000 to 19,000 within the last five years, only 34 of the required 52 trained nurses remained.[14]

D. Education

35. Education is compulsory and free for children between 5 and 15 years of age. In 1999/2000, 830 children were attending eight public schools in the Territory. As at June 2000, a staff of 128 was providing education for more than 900 schoolchildren. Total expenditure by the Education Department in 1999/2000 was estimated at £1,248,690, which is approximately

10.04 per cent of the total government recurrent expenditure.

36. The introduction of British standardized tests in English and mathematics in the first and middle sections of school have shown that the majority of pupils score lower than their British counterparts. Results from the secondary school examination for students 16 years of age and over show that these pupils are also seriously underachieving, with less than 12 per cent each year attaining the minimum five qualifying grades for the General Certificate of Secondary Education or equivalent, compared with 40 per cent in the United Kingdom. These problems have been attributed in part to the high level of staff turnover and staff members' lack of qualifications and experience.

E. Environment

37. St. Helena has an environmental conservation programme aimed at preserving endangered species and diversity of habitats. The plants that are unique to St. Helena form an important part of the Territory's heritage and could potentially increase tourism. The World Conservation Union lists as endangered 40 per cent of St. Helena's plants, while other conservationists insist that the actual proportion is even higher. A survey conducted by the St. Helena Nature Conservation Group in June 2001 ranked litter as the most important environmental problem, followed by endangered plants and animals, and then by sewage disposal at sea. In September 2001 the United Kingdom and the Overseas Territories adopted a set of Environment Charters setting out for the first time the mutual responsibilities of both regarding the environment. In November 2001 the Foreign and Commonwealth Office, in collaboration with the Overseas Territories and the Overseas Territories Conservation Forum, sponsored an environmental-education training pack, "A Breath of Fresh Air", with the aim of assisting the Territories in promoting the importance and value of the environment.[15]

VI. Dependencies of St. Helena

A. Tristan da Cunha

1. General

38. The dependency of Tristan da Cunha[16] is composed of four islands — the main island, called Tristan da Cunha, plus Gough, Inaccessible and Nightingale. Tristan da Cunha, a round volcanic island with an area of 98 square kilometres, is the most remote inhabited island in the world. Its closest neighbours are St. Helena, 2,334 kilometres to the north, and Cape Town, 2,778 kilometres to the east. Its population was evacuated to the United Kingdom when the volcano last erupted, in 1961, but returned in 1963. The only settlement on the island is the capital, Edinburgh of the Seven Seas. According to the Administrator, as at December 2000 the population consisted of 283 people divided into approximately 100 households.[17] A team of South African meteorologists lives on Gough. Inaccessible and Nightingale are uninhabited.

2. Constitutional and political status

39. Executive authority for Tristan da Cunha is exercised by the Governor of St. Helena. A resident Administrator is appointed by the Governor and is responsible to him. The Administrator is advised by an Island Council, led by the Chief Islander and comprising eight elected members (including at least one woman) and three appointed members. Elections are held every three years. All registered voters over 18 years of age are eligible to vote.

40. Tristan da Cunha has its own legislation, but St. Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary. There is one full-time police officer and three special constables. The Administrator is the Magistrate.

41. Residents of Tristan da Cunha will receive the options of British citizenship and residency after passage of the British Overseas Territories Bill.

3. Environment

42. The islands have very distinctive endemic flora and fauna and are important breeding grounds for many seabirds, many of them rare, such as the Tristan

Albatross. The declaration of Gough Island as a World Heritage Site and of Inaccessible as a nature reserve means that 40 per cent of the dependency's land is under protection. Marine life is also protected.

4. Economic and social conditions

43. According to the Administrator, Tristan da Cunha is almost self-supporting economically, with overseas funding required only for large capital projects. The Government is the chief employer on the island, with a workforce of 143. The lobster factory provides permanent employment for 23 and casual employment for a further 110 people on fishing days, when 20 small island boats catch lobster for processing. The lobster fishery is operated under an exclusive concession granted by Tristan da Cunha to a South African company. Two company ships fish around Inaccessible, Nightingale and Gough, while the islanders fish around Tristan da Cunha. In addition to royalties and employment, the fishing company also provides a passenger and cargo service to Cape Town. Other sources of income — such as the sale of postage stamps and a limited tourist industry based on three or four ship visits per year — cannot realistically be increased significantly. Other potential sources, such as the sale of mineral water, would require considerable capital investment.

44. Revenue provided by the royalties from lobster fisheries and the interest from a reserve fund finances government activities such as the provision of free health care and education. Tristan da Cunha's only hospital is staffed by a qualified expatriate medical officer and four nurses. When required, medical treatment is provided overseas. Education is free and compulsory for all children between 5 and 15 years of age. Working men and women are encouraged to continue their education under a "day-release" programme.

45. There is no air service to Tristan da Cunha. Transport to and from the island is provided by the yearly call of the *RMS St. Helena*, an occasional passenger ship, two fishing concession vessels and the South African research vessel *SA Agulhas*. Owing to rough seas, the harbour is accessible only 60 to 70 days a year. Improvements to the harbour are considered vital to Tristan da Cunha's future. Work is under way to design and construct a safer harbour, which would increase visits by passing ships.

5. Development assistance

46. The United Kingdom's assistance to Tristan da Cunha is modest and consists of support for the provision of medical care on the island and continuing support for the Fisheries Management Project. The European Union also provides financial assistance for the purchase of machinery to be used in the construction of the harbour.[18] On 23 May 2001 a storm struck the island, with winds of 120 miles per hour. While no islanders were hurt, there was extensive damage to homes, the hospital and a community centre. The United Kingdom announced that it would provide a £75,000 aid package.[19]

B. Ascension

1. General

47. Ascension was discovered by the Portuguese in 1501 and "found" again on Ascension Day in 1503 by Alphonse d'Albuquerque, who named the island. In 1815, when Napoleon was a prisoner on St. Helena, a small British naval garrison was stationed on Ascension. The island remained under Admiralty supervision until 1922, when it was made a dependency of St. Helena. From then until 1964 the island was managed by the Eastern Telegraph Company (renamed Cable and Wireless in 1934). In 1964, in view of the plans to establish British Broadcasting Corporation (BBC) and Composite Signal Organization stations, an Administrator was appointed. During the Second World War the United States Government built the Wideawake airstrip on the island. In 1957 a United States Air Force presence was re-established and the airstrip and ancillary facilities were enlarged. It is now the south-east tracking station for the United States Air Force Eastern Test Proving Ground. In 1982 it became the intermediate stop for Royal Air Force flights to and from the Falkland Islands (Malvinas). Ascension covers an area of 90 square kilometres and is of volcanic origin. There is no indigenous population. The total population is about 1,100, comprising the employees of companies established on the island and their family members.

2. Constitutional and political status

48. Executive authority for the Territory is exercised by the Governor of St. Helena. A resident Administrator is responsible to the Governor.

Ascension Island's own legislation is of a limited range. However, English law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary.

49. Ascension has for many years been primarily an important communications centre. All public services were provided by Ascension Island Services (AIS), a joint venture partnership between BBC World Service and Cable and Wireless directed by a London Board of "Users". Owing to changed geopolitical priorities and rising salaries, in 1999 the London Board decided to disband the joint venture by 31 March 2001.

50. The new Ascension Island Government, consisting of the Governor of St. Helena and its dependencies and the Administrator of Ascension, was established on 1 April 2001. Throughout the period under review there has been considerable discussion among the inhabitants of Ascension about the future shape of their Government. A constitutional adviser from the Foreign and Commonwealth Office, Michael Bradley, visited Ascension in October 2001. According to a summary of the Bradley report published by the Administrator in the local weekly,[20] a majority of Ascension inhabitants do not want a complete separation from St. Helena but are concerned that any new legislative forum should not be a subsidiary administration of St. Helena. The report found considerable support for the creation of a representative government, but views diverged on its powers and responsibilities. Proposed options included the creation of a legislative council similar to St. Helena's or of an advisory council that could then evolve into a full legislative body like those in other Overseas Territories. Bradley reported that an Order in Council to meet the needs entailed in any of the options would take at least a year. It was recommended that, as an interim solution, the Governor use his existing powers to provide for an Island Council similar to that of Tristan da Cunha.

51. Unlike other Overseas Territories, Ascension has no indigenous population. Therefore, the Bradley report recommended that, if a democratic structure were to be created, rights of abode independent of employment should be created. There was also concern that the majority of contracted workers were employed on an unaccompanied basis, a situation that may conflict with the European Union Convention on Human Rights. Bradley recommended that provision for representative government, the right of abode and human rights proceed as soon as possible. The enactment of ordinances could lead to a full constitutional document in 5 to 10 years. In the meantime, public discussion of the matter continues in Ascension.

3. Economic and social conditions

52. In the new Government's first year its revenue derived mainly from the employment levy, the Users, receipts from the Ministry of Defence and receipts for services and goods provided by the Government, such as income from postage stamps and immigration fees. With respect to long-term funding, the aim is to introduce a fiscal system and a customs regime in the year 2002 without decreasing the purchasing power of the people living on Ascension and without increased costs for the Users.

53. A major component of the reform process on Ascension is the development of the private sector. In that regard, in June 2001 Ascension Island Commercial Services, Ltd., was established to manage and prepare for sale commercial business units formerly operated by Ascension Island Services. In February 2002 the new company announced the sale of the guest house, car rental business, laundry, petrol station, slaughterhouse and two shops to private bidders from Ascension and St. Helena. At the time of disposal of the businesses, current employees of the company were to be transferred automatically under applicable employment legislation.

54. Ascension is of considerable environmental interest, as it is a breeding site for the green turtle and numerous species of seabirds, as well as home to abundant marine life. A sum of £1 million is to be spent by the Foreign and Commonwealth Office and the Royal Society for the Protection of Birds to restore the seabird and turtle colonies on Ascension. The project covers the appointment of a Conservation Officer as well as eradication measures against rats and feral cats to protect bird life.[21]

VII. Future status of the Territory

A. Position of the administering Power

55. On 8 October 2001 the representative of the United Kingdom made a statement before the Special

Political and Decolonization Committee (Fourth Committee) (see A/C.4/56/SR.3) in which she welcomed the opportunity to present her country's position as an administering Power and reported on further progress made towards the modernization and development of the relationship between the United Kingdom and its overseas Territories.

56. The United Kingdom representative said that the third meeting of the Overseas Territories Consultative Committee, held in London in September 2001, had been hosted by Baroness Amos, who was appointed Foreign Office Minister for the Overseas Territories in June 2001. The Consultative Committee provided a forum for structured political dialogue and exchange of views between the elected representatives of the Overseas Territories and Her Majesty's Government. The meeting was an opportunity to continue dialogue on the management of public affairs and future development of the Overseas Territories, and it enabled Ministers and Overseas Territories' Governments to consult on matters such as the process of constitutional review and human rights issues arising from the United Kingdom's international commitments.

57. The representative of the United Kingdom said the United Kingdom's partnership with its Overseas Territories continued to evolve and progress. On 21 June 2001 the Government had introduced to Parliament the British Overseas Territories Bill, which would grant British citizenship, with right of abode in the United Kingdom, to citizens of 13 of the 14 British Dependent Territories, in fulfilment of a commitment made in the 1999 White Paper on the relationship between the United Kingdom and the Overseas Territories. The bill would also formally change the nomenclature from "dependent" to "overseas" territory so as to reflect more accurately the nature of the relationship. The United Kingdom and most Overseas Territories had adopted an Environment Charter on 26 September, which set out 10 guiding principles expressing the key environmental commitments that the international community had adopted. The guiding principles were followed by specific commitments on the part of the United Kingdom and Overseas Territories' Governments, indicating how they would work in partnership for the benefit of the environment. It was a good example, the representative of the United Kingdom said, of how progress could be made by working together in an area of mutual interest, which was critical to the future prosperity, well-being and even survival of many of the Overseas Territories and their communities.

58. The representative of the United Kingdom pointed out that, as the record showed, for the United Kingdom the wishes of the peoples concerned, exercised in accordance with the principles set out in the Charter of the United Nations and in other international treaties, were of paramount importance. The relationship of the United Kingdom with the Territories continued to be based on the following fundamental principles: self-determination, mutual obligations, freedom for the Territories to run their affairs to the greatest degree possible, and a firm commitment from the United Kingdom to help the Territories economically and to assist them in emergencies. The representative of the United Kingdom said she was sure the Committee recognized the basic commonality between the approach of the British Government and that of the Committee.

59. Nevertheless, she stated, it was a pity that while there was so much in common in their approaches, this was not always properly reflected in all relevant resolutions, in particular those of the Special Committee. Her delegation welcomed the fact that the annual omnibus resolution stated that in the decolonization process there was "no alternative to the principle of self-determination", but regretted that the Special Committee continued to apply that principle selectively, a principle enshrined in the Charter of the United Nations and the international Covenant on Civil and Political Rights.

60. The United Kingdom, she stated, would continue to work to improve its cooperation with the Special Committee. A representative of the United Kingdom had attended the Regional Seminar held in Havana in 2001.

61. The United Kingdom welcomed the efforts begun by the Special Committee, under the constructive leadership of Peter Donigi, to pursue informal dialogue with the administering Powers with a view to the possible removal of Territories from the Committee's list. Careful preparation would be necessary before substantive progress could be expected, but the United Kingdom remained ready to cooperate with the Committee in those efforts.

B. Position of the Territory

62. In September 1999 the Government of St. Helena published "The St. Helena Strategic Review 2000-2010", in which it outlined its medium-term and long-term vision for St. Helena. The Government pointed out that St. Helena remained heavily dependent on aid from the United Kingdom to retain its current standard of living. Noting the objectives of the United Kingdom, the strategic review was based on assisting the United Kingdom in achieving those objectives with regard to St. Helena. However, the review concluded that "without radically improved access" — meaning air access — "there is no future for St. Helena" (see para. 27 above for latest developments).

63. The Citizenship Commission of St. Helena, established in 1992, continues to defend the restoration of full rights of citizenship for St. Helenians, as well as their right to consider changes in the Territory's constitutional relationship with the United Kingdom. In July 2000 Professor Ed Morgan of the University of Toronto, speaking on behalf of the Citizenship Commission, examined the legal merits of St. Helena's case before the Special Committee. In May 2001 a similar submission was made to the Human Rights Committee. In February 2002, after it had been announced that the British Overseas Territories Bill was close to completion, the Citizenship Commission stated, inter alia: "This year will make exactly a decade since the formation of the Citizenship Commission. It will be a turning point for St. Helena; it will also come as a sense of relief for the Commission. Keeping the matter alive at times with very little light appearing at the end of the tunnel has been difficult."[22]

VIII. Consideration of the question by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

64. The Special Committee considered the question of St. Helena in October 2001 in the context of its consideration of the draft resolution on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands, submitted under agenda item 18 (see *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 23* (A/56/23), chap. XIII, sect. F). At the Special Committee's 7th meeting, on 16 October 2001, Ms. Howe-Jones of the United Kingdom explained that her delegation shared the Committee's concern about the problem of unemployment and that the United Kingdom and the Government of the Territory had taken joint action in that regard. The United Kingdom had set up a pilot fund to support economic diversification and improve employment prospects in its Overseas Territories and was currently discussing the terms of the fund with the St. Helena Government.

B. Special Political and Decolonization Committee (Fourth Committee)

65. At its 7th meeting, on 16 October 2001, the Committee adopted without a vote the draft resolution on the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands (ibid.).

C. General Assembly

66. On 10 December 2001 the General Assembly adopted without a vote resolution 56/72, on the questions of American Samoa, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands. Referring to St. Helena specifically in section IX of the resolution, the Assembly noted that the administering Power had taken note of various statements made by the Legislative Council of St. Helena about the Constitution and was prepared to discuss them further with the people of St. Helena. The Assembly requested the administering Power to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status. The Assembly also requested the administering Power and relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges of

the Territory, including high unemployment and the problems of limited transport and communications.

Notes

[1] Information contained in the present working paper has been derived from information transmitted to the Secretary-General in June 2000 and April 2001 by the Government of the United Kingdom of Great Britain and Northern Ireland under article 73*e* of the Charter of the United Nations, and from published sources.

[2] "Partnership for Progress and Prosperity: Britain and the Overseas Territories", White Paper submitted to the House of Commons on 17 March 1999 and set out in A/AC.109/1999/1, annex.

[3] House of Commons Explanatory Notes, 30 October 2001.

[4] Press release, "Baroness Amos and Citizenship", *St. Helena Herald*, 22 March 2002.

[5] "Governor's Christmas Message 2001", *St. Helena Herald*, 21 December 2001.

[6] *St. Helena Herald*, 17 August 2001.

[7] www.sainthelena.gov.sh.

[8] Letter from Under-Secretary of State, reported in the *St. Helena News*, 2 March 2001.

[9] *St. Helena Herald*, 13 July 2001.

[10] DP/CCF/STH/2.

[11] South-East Atlantic Fisheries Organization press release, in *The Islander*, 19 July 2001.

[12] *St. Helena Herald*, 11 January 2002.

[13] Press release, reported in *St. Helena Herald*, 22 March 2002.

[14] Press release, reported in *St. Helena Herald*, 15 March 2002.

[15] Foreign and Commonwealth Office news, 26 September and 7 November 2001.

[16] Information derived from "Tristan da Cunha" (1998), by Brian Baldwin, Administrator of Tristan da Cunha.

[17] Interview with the Administrator of Tristan da Cunha, Falkland Islands News Network (SARTMA), 6 December 2000 (see www.sartma.com).

[18] Interview with European Union official Christian Simmons, SARTMA, 16 January 2001.

[19] *Agence France-Presse*, 6 June 2001.

[20] *The Islander*, 7 March 2002.

[21] *The Islander*, 5 July 2001.

[22] *The Citizen*, Number 74, February 2002, printed in *The Islander*, 28 February 2002.